

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

Before me is the Report and Recommendation of the United States Magistrate Judge recommending that an Order be entered granting Defendant Nancy A. Berryhill's ("the Commissioner") Motion for Summary Judgment [ECF No. 19], denying Plaintiff Jeffrey L. Brim's Motion for Summary Judgment [ECF No. 15], affirming the Commissioner's final decision, and dismissing this action from the docket of the Court. The Report and Recommendation ("R & R") was filed on February 17, 2017. [ECF No. 23]. Plaintiff filed a timely objection to the R & R on March 3, 2017 [ECF No. 24], and the Commissioner filed a response on March 28, 2017. [ECF No. 25]. For reasons stated in the accompanying Memorandum Opinion, Plaintiff's objection is **OVERRULED**, Plaintiff's Motion is **DENIED**, the Commissioner's Motion is **GRANTED**, the Commissioner's decision is **AFFIRMED**, and the Report and Recommendation is **ADOPTED** in its entirety.

The Clerk is directed to dismiss this action from the active docket of the Court, and to send a copy of this Order to all counsel of record as well as to United States Magistrate Judge Joel C. Hoppe.

Entered this 11th day of April, 2017.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE
